

Date: October 3, 2022

Date Minutes Approved: 01/09/2023

TOWN CLERK

2023 JAN 10 AM 10:57

DUXBURY, MASS.
OPEN SESSION MINUTES

DUXBURY SELECTBOARD

Present: Fernando Guitart, Chair; Cynthia Ladd Fiorini, Vice Chair; Michael McGee, Clerk; Amy M. MacNab; and Theodore J. Flynn

Absent:

Staff: Renè Read Town Manager and Michelle Seda-Stotts, Principal Assistant

Others: Jeannie Horne, HR Director; Russell Dupere, Esq.; Susan Kelley, Town Clerk; Emil Reinhalter, Robb D'Ambruoso, Esq.; Tanya Trevisan, 21 Tinkers Ledge Road;

CONVENED IN OPEN SESSION

I. CALL TO ORDER This meeting was called to order at approximately 7:00 pm.
Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public and board members, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law. Members of the public who wish to watch the meeting may do so by viewing the Duxbury Government Access Channels – Verizon 39 or Comcast 15. Viewers can visit www.pactv.org/duxbury for information about Duxbury programming including streaming on Duxbury You Tube, to watch replays and Video on Demand.

II. PLEDGE OF ALLIGIANCE

III. OPEN FORUM

Ms. Tanya Trevisan spoke on the behalf of Ms. Lynch-Benttinen regarding the Cranberry Bogs. Mr. Guitart stated that this has been put on the schedule for discussion. Mr. Read stated that he had emailed Ms. Lynch-Benttinen and was awaiting her return from vacation to schedule a meeting with the Selectboard. This will be sometime in November. Ms. Trevisan wanted to bring to the Selectboards attention the pictures in the email she had sent. Ms. Trevisan also wanted to speak for the Duxbury Safe Water Inc. They had met with the BOH regarding the Depot Street Well. The question was whether the Depot Street Well would be put back on line. Mr. Guitart did not have a response to her question. Ms. Trevisan also inquired about identifying residents in town with potable wells, and would like to have that information. Ms. MacNab stated that it is in the working for this specific map. Ms. Trevisan also inquired about the ground water flow map which should have been completed by Sept. 1st. Ms. Mayo, BOH Agent, responded to the mapping question. Ms. Mayo stated that the map was just completed and Ms. Mayo does have the map showing the well locations for the whole Town and areas of concern. The ground water flow map was attained by Mr. Mackin, Water Dept., from Weston and Sampson. Ms. Trevisan was pleased with the responses she had received.

IV. NEW BUSINESS

7:05pm Water & Sewer Commissioners – FY23 Commitment No.1

Mr. McGee moved that the Selectboard adjourn the meeting in order to meet as the Water & Sewer Commissioners, with the intent of re-convening as the Selectboard afterward.

Seconded by Mr. Flynn Vote: 5:0:0

Mr. McGee moved that the Board of Water & Sewer Commissioners instruct the Treasurer to collect the following amount for water and sewer usage charges totaling \$1,250,308.72 for Water and Sewer Commitment #1 of FY23.

Seconded by Ms. Macnab Vote: 5:0:0

Ms. MacNab wanted to bring to the attention of the Selectboard that we need to get the Water Advisory Committee staffed and she has two candidates willing to become members – Tanya Trevisan and Jim Begley. Mr. Guitart stated that it will be on the agenda for 10/17 to discuss, prior to the Special Town Meeting. Ms. MacNab also wanted to discuss the Maps for the water flow and where the plums are, so they can move forward to test the wells. Mr. McGee suggested bringing in Weston and Sampson to discuss these results. Mr. Guitart stated that it is on a future agenda.

Mr. McGee moved that the Board adjourn their meeting as Water & Sewer Commissioners and re-convene as the Selectboard.

Seconded by Mr. Flynn Vote: 5:0:0

Selectboard to Call the November 8, 2022 Election and discussion regarding early voting hours from October 30th to November 4th – presented by Susan Kelley, Town Clerk

Clerk Susan Kelley has asked the Selectboard to amend the previously approved hours for in-person early voting to allow staff the opportunity to process the volume of mail in ballots related to the State Election on November 8, 2022.

Mr. McGee moved that the Selectboard directs the Constable of the Town of Duxbury to notify and warn the inhabitants of Duxbury who are qualified to vote in the State Election to vote at Precincts One thru Six at the Lt. Timothy J. Steele Athletic Building, 130 Saint George Street, Duxbury, Massachusetts on Tuesday, the 8th Day of November, 2022 from 7am to 8pm.

Seconded by Mr. Flynn Roll Call Vote: Mr. Guitart-aye; Ms. Ladd Fiorini-aye, Mr. McGee-aye; Mr. Flynn-aye and Ms. MacNab-aye.

Mr. McGee moved that the Selectboard amend the previously approved hours for the second week of in-person Early Voting to be held Monday, October 31st – Friday, November 4th from Monday-Thursday 8am – 4pm and Friday 8am – 1pm to Monday – Thursday 9am -3pm and Friday 9am – 1pm.

Seconded by Ms. MacNab Roll Call Vote: Mr. Guitart-aye; Ms. Ladd Fiorini-aye, Mr. McGee-aye; Mr. Flynn-aye and Ms. MacNab-aye.

Selectboard vote to Adopt the Order of Layout for McLean's Way

Mr. Read stated that in their packets they have been provide with the Order of Layout of McLean's Way, a Letter to the homeowner's association notifying them of the Streets acceptance plan, and a copy of the Certificate of Notification McLean's Way Definitive Subdivision. Mr. Read stated that all conditions have been met.

Mr. McGee moved that the Selectboard Adopt the Order of Layout of McLean's Way as follows:

ORDER OF LAYOUT OF MCLEAN'S WAY

Whereas the Selectboard of the Town of Duxbury, acting pursuant to G.L. c. 82, §§21-24, having deemed that common convenience and necessity require the acceptance McLean's Way as a Town way, hereby lays out McLean's Way as a public way, all as shown on the plan referenced below, and

Whereas the boundaries of the layout of McLean's Way are shown on a plan entitled "Street Acceptance Plan for McLean's Way Duxbury, Massachusetts", dated January 7, 2020, prepared by Grady Consulting, L.L.C, which plan was referred to the Planning Board and which plan is hereby adopted as a part of this order, and all land lying within the layout of McLean's Way is hereby laid out as a public way.

The aforementioned plan is hereby forwarded to the Town Clerk for filing and the foregoing layout is hereby reported to the Town for acceptance.

Adopted: October 3, 2022.

Seconded by Ms. MacNab Roll Call Vote: Mr. Guitart-aye; Ms. Ladd Fiorini-aye, Mr. McGee-aye; Mr. Flynn-aye and Ms. MacNab-aye.

Voting Recommendations on Special Town Meeting Articles

Article 1:

Mr. McGee moved that the Selectboard vote to recommend Article 1 – Acceptance of McLean's Way as a Town Way for the Special Town Meeting on October 17, 2022.

Seconded by Mr. Flynn Vote: 5:0:0

Article 2:

Ricker Land Purchase

Mr. McGee moved that the Selectboard vote to recommend Article 2 – Ricker Land Purchase - for the Special Town Meeting on October 17, 2022.

Seconded by Mr. Flynn Vote: 5:0:0

Article 3:

Increase to Community Preservation Act Surcharge

Mr. McGee moved that the Selectboard vote to recommend Article 3 – Increase to Community Preservation Act Surcharge - for the Special Town Meeting on October 17, 2022.

Seconded by Mr. Flynn Vote: 5:0:0

Article 4:

Hold until 10/17/22 -Union Contracts

Article 5:

Amend Town of Duxbury Personnel Policies "Part IV – Pay Schedule" Table

Mr. Read stated that the Article be separated into two motions, one for the Finance Director/Town Accountant and the other for the Board of Health Inspector. He asked that they focus on the BOH position.

Mr. McGee moved that the Selectboard vote to recommend for the Duxbury Personnel Policies, Part 4 pay schedule table, with respect to the Board of Health Inspector position, and to fund said amendments raise and appropriate or transfer from available funds a sum of money; for such position - for the Special Town Meeting on October 17, 2022.

Seconded by Ms. MacNab Vote: 5:0:0

Article 7:

Supplemental Appropriations

Mr. McGee moved that the Selectboard vote to recommend Article 7 – Supplemental Appropriations - for the Special Town Meeting on October 17, 2022.

Seconded by Ms. MacNab Vote: 5:0:0

Article 8:

Supplemental Capital Appropriations

Holding vote for STM on 10/17/22

Article 13:

CPC Funding for preservation of the Simmons/Harrington Farmhouse - 761

Holding vote for STM on 10/17/22

V. TOWN MANAGER'S REPORT

Mr. Read began by stating there will be a **Duxbury Beach Reservation - Community Forum**

The Duxbury Beach Reservation is hosting a community forum on Wednesday, October 19th at 6:30 p.m. in the Duxbury Performing Arts Center 73 Alden Street Duxbury.

The DBR is bringing together Federal and State Fish and Wildlife regulators, officials from the Town of Duxbury, and the public to participate in an open forum where we, as a community, can work together to share ideas, ask questions, and look for solutions on preserving the beach and maintaining access.

Duxbury Public Schools - School Safety Forum

The School Department will be hosting a School Safety Forum Wednesday, November 9th at 6:30 p.m. at Duxbury Performing Arts Center (73 Alden Street Duxbury).

At this forum, Duxbury Police Chief McDonald will share aspects of our approach to school safety and security and the panel will answer as many questions as we can. As we have previously shared, there are elements of our emergency response planning that must remain confidential but we hope to be able to provide helpful and reassuring information to families at the forum.

Special Town Meeting- October 17, 2022

Special Town Meeting on Monday, October 17, 2022, at 7:00 p.m. The deadline to register to vote at Town Meeting is this coming Friday, October 7th, 2022.

VI COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS - None

VII ONE-DAY LIQUOR LICENSE REQUESTS

10/22/22 ALS One/Corn Hole Tournament

Mr. McGee moved that **Mr. Erik Christensen**, as a representative of **ALS One**, is granted a One-Day Wine & Malt License for the **ALS One / Cornhole Tournament Fundraiser** Event on Saturday, October 22, 2022 at the DuxPlex located at 50 Railroad Avenue from 11:00 AM to 5:00 PM, contingent upon the conditions of the license.

Seconded by Mr. Flynn Vote: 5:0:0

VIII. EVENT PERMITS

10/23/22 5K Road Race Fundraiser for Tristan Naylor

Mr. McGee moved that **Mr. Bradley Harrington** is granted permission to hold a **5K Road Race Fundraiser for Tristan Naylor** in Duxbury on Sunday, October 23, 2022, from 8:00 AM to 10:00 AM, contingent upon the conditions of the permit.

Seconded by Mr. Flynn Vote: 5:0:0

10/29/22 Duxbury Newcomer's Halloween Spooktacular Trick-or-Treat

Mr. McGee moved that **Ms. Hollie Louttit**, as a representative of the **Duxbury Newcomers' Club**, is granted permission to hold their annual **Halloween Spooktacular Trick-or-Treat Event** from 3:00pm – 5:00 pm on Saturday, October 29, 2022 (*Rain Date: Sunday October 30, 2022*), at participating businesses located in Halls Corner, Brothers Marketplace Plaza, and Depot Street Marketplace, contingent upon the conditions of the permit.

Seconded by Mr. Flynn Vote: 5:0:0

IX. MINUTES

Mr. McGee moved to approve the 09/23/22 Selectboard's Executive Session Minutes, with the contents to remain confidential until the need has passed.

Seconded by Mr. Flynn Vote: 4:0:1 (Mr. Flynn-abstained-he was absent for this meeting)

X. ANNOUNCEMENTS

1. **Town Hall Offices Closed - Monday, October 10, 2022** – in observance of Columbus Day/Indigenous Peoples' Day. There will not be a Selectboard Meeting that evening.

2. **SPECIAL TOWN MEETING** - Monday, October 17, 2022 at 7:00pm at the Performing Arts Center ("PAC") at Alden School. There will be a Selectboard meeting at 6:00pm.
3. **Next Regularly Scheduled Selectboard Meeting** will be on Monday, October 24, 2022 at 7:00pm in the Mural Room.

XI. ADJOURNMENT

Mr. McGee moved that the Selectboard adjourn at approximately 8:00pm.

Seconded by Mr. Flynn Vote: 5:0:0

Minutes submitted by Michelle Seda-Stotts

LIST OF DOCUMENTS

- 1) BOS Agenda
- 2) Water & Sewer Commissioners – FY23 Commitment No.1
- 3) Motion – Call for November State Election
- 4) Motion – regarding changing early voting hours
- 5) Motion – Selectboard to Adopt the Order of Layout of McLean's Way
- 6) Vote recommendations on STM Article
- 7) ODLL – ALS One – Corn Hole Tournament Fundraiser
- 8) Event Permit – 5K Road Race Fundraiser
- 9) Event Permit – Newcomer's Halloween Spooktacular
- 10) Minutes for Approval
- 11) Announcements